

ENTERED

September 08, 2017

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

PEARL SERNA,	§
	§
Plaintiff,	§
VS.	§ CIVIL NO. 2:16-CV-417
	§
CERTAIN UNDERWRITERS AT	§
LLOYD'S, LONDON, <i>et al</i> ,	§
	§
Defendants.	§

ORDER

BE IT REMEMBERED that on September 8, 2017, the Court considered the Joint Stipulation of Dismissal with Prejudice (Dkt. No. 13) in the above-captioned case.

The Parties provide that Plaintiff Pearl Serna (“Serna”) and Defendants Certain Underwriters at Lloyd’s, London subscribing to Policy No. AH 57329; ACSI, Inc.; and Steve Schulz successfully settled the lawsuit. Dkt. No. 13 at 1. The Parties “request that the above-captioned lawsuit be . . . dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1), with costs taxed against the party incurring same.” *Id.*

Federal Rule of Civil Procedure 41 states, in part, that “the plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” FED. R. CIV. P. 41(a)(1)(A)(ii). “[A] voluntary order of dismissal requested by both parties is effective upon filing and does not require the approval of the court.” *SmallBizPros, Inc. v. MacDonald*, 618 F.3d 458, 461 (5th Cir. 2010) (quoting *Ramming v. Natural Gas Pipeline Co. of Am.*, 390 F.3d 366, 369 n.1 (5th Cir. 2004)).

This stipulation is signed by counsel for Serna and counsel for Defendants. In accordance with the Joint Stipulation of Dismissal and Rule 41(a)(1)(A)(ii), the

Court **ORDERS** that the claims in the above-captioned case are **DISMISSED WITH PREJUDICE**.

The Clerk of the Court is **DIRECTED** to close the case.

SIGNED this 8th day of September, 2017.



Hilda Tagle
Senior United States District Judge